

Pain and Dizziness in the Head, Dyspepsia, Liver and Kidney Diseases, Dropsy, * * * Colic and Cramps, and a thorough blood Purifier, also for all Female Diseases, Obstruction of Monthly Courses, Etc."

On November 25, 1930, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17840. Adulteration and misbranding of Cerolactic antiseptic ointment, and misbranding of Cerolactic internal antiseptic tablets and Cerolactic germicide and prophylactic. U. S. v. 120 Dozen Packages of Cerolactic Internal Antiseptic Tablets, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 25212, 25213, 25214. I. S. Nos. 4776, 4777, 4778. S. No. 3437.)

Examination of samples of the herein-described drug products having shown that the labels bore claims of curative and therapeutic properties that the articles did not possess, that the so-called Cerolactic internal antiseptic was not an internal antiseptic, and the so-called Cerolactic antiseptic ointment was not antiseptic, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of New York.

On October 20, 1930, the United States attorney filed in the United States District Court a libel praying seizure and condemnation of 120 dozen pocket-sized and 44 dozen hospital-sized packages of Cerolactic internal antiseptic tablets, 42 dozen packages of Cerolactic antiseptic ointment, 1 dozen small-sized, 4½ dozen medium-sized, and 3 dozen large-sized packages of Cerolactic germicide and prophylactic, remaining in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped by the Hibbs-Worth Laboratories (Inc.) from Chicago, Ill., on or about May 28, 1930, and had been transported from the State of Illinois into the State of New York, and charging adulteration and misbranding of the said ointment and misbranding of the remaining products in violation of the food and drugs acts as amended.

Analyses of samples of the articles by this department showed that the Cerolactic ointment consisted essentially of a petrolatum and paraffin base containing tar, zinc oxide, sulphur, and traces of cerium and phosphorus compounds, and that it was not antiseptic; that the Cerolactic internal antiseptic tablets contained charcoal, phenolphthalein, a small amount of a cerium compound, starch, and peppermint oil, coated with sugar and calcium carbonate; and that Cerolactic germicide and prophylactic consisted essentially of boric acid, menthol, thymol, phenol, salicylic acid, a trace of a cerium compound, glycerin, alcohol, and water.

It was alleged in the libel that the said ointment was adulterated in that its strength fell below the professed standard and quality under which it was sold, viz, (carton and tube) "Antiseptic Ointment."

Misbranding of the said ointment was alleged for the reason that the following statements were false and misleading: (Carton and tube) "Antiseptic Ointment;" (brown circular) "Cerolactic antiseptic ointment * * * The smallest break in the skin is not too small to admit germs and set up an infection. Something must be done immediately to check their development and guard against the possibilities of blood-poisoning. There is no better way to do this than by first washing the affected or injured parts with Cerolactic aromatic solution and then apply this ointment. Cerolactic Antiseptic Ointment is a purely ethical compound in which is combined that safe and reliable antiseptic and germicide, Cerolactic, with White Petrolatum and Anhydrous Wool Fat, and other ingredients approved by dermatologists in the treatment of skin diseases. * * * The ingredients contained in Cerolactic ointment render it an invaluable agent where a continuous antiseptic action is necessary." Misbranding of the said ointment was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Carton) "Eczema, Eruptions, Rashes, Blemishes, Cuts * * * The ingredients most approved by Dermatologists in the treatment of Inflammatory Cutaneous Diseases * * * Cerolactic Ointment is a reliable remedy in cases of eczema, ringworm, shingles, hives, itching piles * * * cuts * * * scabies, scrofulous tumors, etc. (Eczema responds quickly to Cerolactic treatment.) * * * All skin eruptions, rashes, blemishes, etc., that appear on the skin are of germ origin. A complete and permanent cure can only be effected when the germ is destroyed. * * * Cuts;" (tube) "Eczema, Eruptions, Rashes, Blemishes, Cuts * * * The ingredients most approved by dermatologists in the treatment of inflammatory

cutaneous diseases * * * Cerolactic Ointment is a reliable remedy in cases of eczema, ringworm, shingles, hives, itching piles, * * * scrofulous tumors, etc.;" (brown circular) "Abscesses * * * apply Cerolactic Ointment. Boils * * * apply Cerolactic Ointment liberally. * * * Eczema * * * To heal apply Cerolactic Ointment. * * * Hemorrhoids, Bleeding or Itching Piles, Rectal Abrasions and Fissures * * * apply our Cerolactic Ointment. * * * It is unsurpassed in the treatment of Eczema, Ringworm, Hemorrhoids, Itching Piles, Hives, * * * Boils, Pimples, * * * and other skin eruptions and infections." Misbranding of the said germicide and prophylactic was alleged for the reason that the statement on the carton and bottle, "An Internal * * * Antiseptic," was false and misleading. Misbranding of the said germicide and prophylactic was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Carton) "Prophylactic * * * guarantee protection against bad teeth, bleeding and spongy gums. * * * Cerolactic will * * * prevent infection. * * * valuable in the treatment of all skin diseases, * * * Invaluable as a gargle or spray in all cases of Diphtheria, Tonsillitis and all affections of the throat; * * * relieve canker sore mouth, spongy or bleeding gums, * * * and all catarrhal conditions of the nose and throat. * * * all Inflammations, * * * Wounds * * * Bites, Fever Sores, Boils, * * * Salt-Rheum, Eczema * * * Bleeding or Itching Piles, Itching Scalp and * * * inflamed conditions of tissue. * * * In the treatment of * * * all diseases of the scalp;" (bottle) "Prophylactic * * * As a gargle or spray in severe cases of Sore Throat, Diphtheria, Tonsillitis * * * for Catarrh * * * For internal use in Digestive Disorders, Typhoid Fever, Gastritis, Stomatitis, Colitis, Diarrhoea and Dysentery. * * * for all Inflammations * * * Wounds * * * Bites, Fever Sores, Boils, * * * Salt Rheum, Eczema, * * * Bleeding or Itching Piles, * * * and all * * * inflamed conditions of tissue, * * * canker sore mouth, spongy or bleeding gums." Misbranding of the said internal antiseptic tablets was alleged for the reason that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Carton and bottle) "Purifies the Breath * * * By Purifying the Stomach. Internal Antiseptic Tablets Aid Digestion * * * Effective in the Treatment of Intestinal and Stomach Disorders. * * * Internal Antiseptic Tablets—Aids Digestion * * * Kills Inside Germs. Purifies the stomach and intestinal tract. * * * Will benefit the bronchial tubes and throat and purify the breath. Invaluable in the treatment of Acute and Chronic Gastritis, Gastric Neurosis, Catarrhal and Ulcerative Enteritis (diarrhoea). * * * In stomach and bowel symptoms such as bloating, * * * gastric achylia (insufficient or complete lack of acid), toxemia (poisoning) from excessive gastric fermentation and absorption of toxins; in headache and 'dopiness' due to absorption of toxins from putrefactive changes in the bowel and constipation;" (green circular) "Acute indigestion or gastritis may be prevented if at the first indication of gastric distress an antiseptic in proper dosage is taken. Cerolactic Internal Antiseptic Tablets, * * * relieve stomach distension, bloating, * * * thus the danger of cardiac distress will be prevented. * * * The use of charcoal in preventing the distension of the bowel by gas and the sterilization of the intestinal tract by the use of an antiseptic, in proper dosage, would prevent the stasis and the resultant auto-intoxication, Cerolactic Internal Antiseptic Tablets, * * * form the combination to effectively combat this condition. * * * Cerolactic Internal Antiseptic Tablets have been proven by some of the most severe tests to be invaluable in the treatment of acute and chronic gastritis, gastric neurosis, catarrhal and ulcerated enteritis (diarrhoea), * * * In stomach and bowel symptoms such as bloating * * * gastric achylia (insufficient and complete lack of acid), toxemia (poisoning) from excessive fermentation and absorption of toxins. In headache and dopiness due to absorption of toxins from putrefactive changes in the bowel and constipation. Directions. In chronic cases Cerolactic Internal Antiseptic Tablets should be administered through the advice of a physician, but they may be taken at any time for acute indigestion and the correction of all gastric disorders. During the sterilization of the intestinal tract and the absorption of gases by the use of Cerolactic Internal Antiseptic Tablets, * * * Take one tablet at a time, follow in half an hour if not relieved. As a preventative measure and to guard against digestive disturbances."

On November 29, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17841. Adulteration and misbranding of tincture nux vomica, elixir berberine compound, elixir creosotal compound, antipyretic compound tablets, oxyquinoline vaginal suppositories, strychnine sulphate tablets, codeine sulphate tablets, and santonin and calomel tablets. U. S. v. P. J. Noyes Co. Plea of guilty. Fine, \$500 and costs. (F. & D. No. 25015. I. S. Nos. 02556, 02575, 02587, 05729, 05735, 05752, 05755, 05760.)

Examination of the drugs and drug compounds from the herein-described interstate shipments showed that the articles did not conform to their respective labels. In most instances they contained less of the essential therapeutic agents than labeled; the antipyretic compound contained no acetanilide, which was declared on the label, and contained acetphenetidin, which was not declared; the elixir berberine compound contained cinchona alkaloids in excess of the amounts represented.

On November 7, 1930, the United States attorney for the District of New Hampshire, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against the P. J. Noyes Co., a corporation, Lancaster, N. H., alleging shipment by said company, in violation of the food and drugs act, in various consignments, between the approximate dates of May 26, 1928, and January 8, 1929, of quantities of drugs and drug compounds which were adulterated and misbranded. The articles were labeled in part: "Poison Tincture Nux Vomica U. S. P.;" "Elixir Berberine Compound * * * Each fluidounce contains about: * * * Quinine Sulphate 1-4 grain, Cinchonine Sulphate 1-8 grain, Cinchonidine Sulphate 1-8 grain;" "Elixir Creosotal Compound * * * Each Fluidounce Contains: * * * Ammonium Chloride, 8 grs.;" "Noyes Pulv. Antipyretic Comp. Antipyretic Anodyne * * * Each Ounce Contains Acetanilide 268 Grains. Each Tablet Contains Acetanilide 31-2 Grains;" "Oxyquinoline Vaginal Suppositories Salicylic Acid 2 grains, Boric Acid 10 grains, Quinine Alkaloid 1 grain, Oxyquinoline Sulphate 1 Grain;" "Compressed Tablets Strychnine Sulphate * * * 1-60 Grain;" "Moulded Tablets Codeine Sulphate * * * 1-8 Grain;" "Compressed Tablets Triturates. Santonin and Calomel * * * Calomel 1-8 Gr."

Adulteration of the tincture nux vomica was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopœia, official at the time of investigation, in that it yielded not more than 0.1835 gram of the alkaloids of nux vomica per 100 cubic centimeters, whereas the pharmacopœia provided that the article should yield not less than 0.237 gram of the alkaloids of nux vomica per 100 cubic centimeters; and the standard of strength, quality, and purity of the article was not declared on the container thereof. Adulteration of the said tincture nux vomica was alleged for the further reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the said tincture nux vomica was alleged for the reason that the statement, to wit, "Tincture Nux Vomica, U. S. P.," was false and misleading.

Adulteration of the elixir berberine compound was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that each fluid ounce was represented to contain about one-fourth grain of quinine sulphate, one-eighth grain of cinchonine sulphate, and one-eighth grain of cinchonidine sulphate, that is, one-half grain," borne on the label, were false and misleading. more than one-half grain of these combined sulphates per fluid ounce, to wit, not less than 0.744 grain, approximately three-fourths grain per fluid ounce.

Misbranding of the said berberine compound was alleged for the reason that the statements, to wit, "Each Fluidounce Contains About * * * Quinine Sulphate, 1-4 grain, Cinchonine Sulphate 1-8 grain, Cinchonidine Sulphate, 1-8 grain," borne on the label, were false and misleading.

Adulteration of the elixir creosotal compound was alleged for the reason that its strength and purity fell below the professed standard and quality